



MS APPEAL BRIEF - PATENTS
PATENT
2565-0225P

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of Before the Board of Appeals
WADAKA, et al. Appeal No.:

Appl. No.: 09/778,872 Group: 2834
Filed: February 8, 2001 Examiner: M. Budd
Conf.: 9099
For: FILM ACOUSTIC WAVE DEVICE AND ITS
 MANUFACTURING METHOD AND CIRCUIT DEVICE

REPLY BRIEF TRANSMITTAL FORM

MS APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 24, 2005

Sir:

Transmitted herewith is a Reply Brief on behalf of the appellants in connection with the above-identified application.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The Examiner's Answer was mailed on December 28, 2004.

☐ An extension of time under 37 C.F.R. § 1.136(b) to was requested on and was approved on .

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

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Attachment(s)



MS APPEAL BRIEF - PATENTS

**PATENT
2565-0225P**

IN THE U.S. PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

WADAKA, Shusou et al.

Appeal No.:

Appl. No.: 09/778,872

Group: 2834

Filed: February 8, 2001

Examiner: M. Budd

Conf.: 9099

For: FILM ACOUSTIC WAVE DEVICE AND ITS
MANUFACTURING METHOD AND CIRCUIT
DEVICE

SUPPLEMENTAL REPLY BRIEF

MS APPEAL BRIEF – PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 24, 2005

Sir:

The following Supplemental Reply Brief is submitted in response to the Supplemental Examiner's Answer dated December 28, 2004.

Applicants thank the Examiner for indicating the Information Disclosure Statements filed on February 8, 2001 and July 2, 2001 as being considered.

Applicants note the Examiner's statement of their position with respect to Claims 35-39. However, the Order of the Board of Appeals dated December

6, 2004 specifically requests the Examiner to clarify the rejection of Claims 35-39, 61 and 62. Since Claims 61 and 62 were not addressed in the Examiner's Supplemental Answer, it is presumed that the Examiner considers these claims allowable. If this assumption is incorrect, the Examiner's clarification of this issue would be appreciated.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH STEWART KOLASCH & BIRCH, LLP

By: _____

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